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Security Council

Seventy-second year

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Friday, 24 March 2017, 3 p.m.
New York

President:	Mr. Rycroft	(United Kingdom of Great Britain and Northern Ireland)
Members:	Bolivia (Plurinational State of)	Mr. Llorentty Solíz
	China	Mr. Shen Bo
	Egypt	Mr. Moustafa
	Ethiopia	Mr. Woldegerima
	France	Mr. Delattre
	Italy	Mr. Cardi
	Japan	Mr. Bessho
	Kazakhstan	Mr. Umarov
	Russian Federation	Mr. Safronkov
	Senegal	Mr. Seck
	Sweden	Mr. Skoog
	Ukraine	Mr. Vitrenko
	United States of America	Ms. Sison
	Uruguay	Mr. Rosselli

Agenda

The situation in the Middle East, including the Palestinian question

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The meeting was called to order at 3.05 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East, including the Palestinian question

The President: In accordance with rule 39 of the Council's provisional rules of procedure, I invite Mr. Nickolay Mladenov, Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General, to participate in this meeting.

The security Council will now begin its consideration of the item on its agenda.

I now give the floor to Mr. Mladenov.

Mr. Mladenov: Today, on behalf of the Secretary-General, I would like to devote my regular briefing to the Council on the situation in the Middle East to reporting on the implementation of resolution 2334 (2016). In this first report, I will focus on developments on the ground, in accordance with the provisions of the resolution, including on regional and international efforts to advocate and advance the peace process.

Let me note from the outset that none of the developments on the ground can be divorced from the broader context in which they are happening — namely, the stalled peace process, the lack of dialogue between the parties and the increased radicalization on all sides. The reporting period witnessed a notable increase in statements, announcements and decisions related to settlement construction and expansion.

Resolution 2334 (2016) calls on Israel to take steps to "cease all settlement activities in the occupied Palestinian territory, including East Jerusalem". No such steps were taken during the reporting period. In January, two major announcements were made for a total of 5,500 housing units in settlements in Area C of the occupied West Bank. Within three weeks, some 3,000 housing units were advanced through the various stages of the planning process and over 240 units reached the final approval stage. Separately, tenders for some 800 housing units were issued. Eighty per cent of the 4,000 settlement moves during the reporting period were concentrated in and around major Israeli population centres close to the 1967 line, while some 20 per cent were in outlying locations deep inside the occupied West Bank.

Let me reiterate that the United Nations considers all settlement activities to be illegal under international law and one of the main obstacles to peace. On 1 February, the Government announced its intention to establish a new settlement for the residents of the illegal Amona outpost, following its demolition by order of the Israeli High Court of Justice on 2 February. While there was no advancement of settlement plans in occupied East Jerusalem during the reporting period, construction in at least four East Jerusalem settlements was enabled by the granting of building permits for over 900 housing units in Pisgat Ze'ev, Ramat Shlomo, Ramot and Gilo southern slopes. Overall, the past three months have seen a high rate of settlement-related activity, especially when compared to 2016, which saw tenders for only 42 units issued and some 3,000 units advanced over 12 months in Area C.

The reporting period also witnessed large-scale demolitions of structures in Palestinian and Bedouin communities in Area C of the West Bank and East Jerusalem, due to the lack of Israeli-issued building permits, which are nearly impossible for Palestinians to acquire. According to the Office for the Coordination of Humanitarian Affairs, 145 structures were demolished in Area C. It has affected the homes of some 220 people, while another 4,000 people were impacted, directly or indirectly, by the destruction of other property and infrastructure. In occupied East Jerusalem, 48 structures were demolished and two seized, displacing 80 people and affecting 210 people.

There were also a number of concerning legislative developments during the reporting period. On 6 February, the Israeli Parliament approved the so-called Regularization Law, which, if implemented, would effectively authorize the taking of privately owned Palestinian land in occupied territory that has been used for settlement purposes. It contravenes international law and is deemed unconstitutional by many Israeli legal experts, including the Attorney General. Estimates suggest that the law could enable the retroactive regularization of thousands of housing units and the gradual legalization of dozens of settlement outposts. The law marks a significant shift in the long-standing Israeli position concerning the legal status of the occupied Palestinian territory.

Allow me to turn to the problems of violence and terror, inflammatory rhetoric and provocations that remain a hallmark of the conflict. Resolution 2334 (2016) calls on all to refrain from such acts and

undertake efforts to combat them. During the reporting period, the security situation in Israel and the occupied Palestinian territory remained relatively calm. There was a rise, albeit from a low level, in certain categories of incidents, namely, rocket attacks against Israel from Gaza. Eleven Palestinians were killed and over 273 injured by the Israeli security forces, including during attacks or purported attacks, clashes and security operations. In addition, one Palestinian was killed by an Israeli civilian while attempting to carry out a stabbing attack, and two Palestinians died of wounds they had sustained in October and November 2016 from Israeli security forces.

Four Israeli soldiers were killed and 70 other Israelis were injured in attacks by Palestinians. On 8 January, a Palestinian man killed four Israeli soldiers and injured another 15 in a ramming attack in Jerusalem. On 9 February, in a terror attack in Petah Tikva, a Palestinian from Nablus shot and stabbed six Israelis. On 6 March, in a two-hour exchange of fire, a Palestinian activist, Basel Al-Araj, was killed during an arrest operation by Israeli security forces in Al-Bireh, which is near Ramallah, in Area A.

After over three months of calm, between 6 February and 19 March Palestinian extremists in Gaza fired 10 rockets towards Israel, five of which impacted without causing injury. In response to these attacks, the Israeli Defence Forces conducted 18 airstrikes at militant locations inside Gaza. In total, two Palestinians in Gaza were killed and 24 injured as a result of various Israeli military actions. On 16 January, in the village of Tuqu', near Bethlehem, a 17 year-old boy was shot dead by the Israeli security forces. The Israeli authorities have opened an investigation into the incident, bringing to at least 17 the number of investigations opened into similar incidents since September 2015. This period saw a total of over 260 Palestinians killed by the Israeli security forces, 170 of whom were carrying out or reportedly carrying out attacks.

One case, against Sergeant Elor Azaria, has led to an indictment and conviction for unlawful killing. On 4 January, Azaria was convicted of manslaughter for shooting dead an incapacitated Palestinian assailant in Hebron in March 2016. On 21 February, he was sentenced to prison for 18 months and demoted. As noted by the Spokesperson for the Office of the United Nations High Commissioner for Human Rights on 24 February 2017, such a lenient prison sentence "is difficult to reconcile with the intentional killing of an unarmed and prone individual". On 7 March, the military prosecution, calling the current sentence "excessively lenient", filed an appeal seeking a three-to-five year term of imprisonment.

While the resolution calls upon both parties to refrain from acts of provocation, incitement, and inflammatory rhetoric, such actions continued during the reporting period. The reactions of Hamas officials to terror attacks against Israelis have been particularly reprehensible and deserve condemnation. A recent sermon by a Hamas leader and member of the Palestinian Legislative Council in Gaza included appalling and racist language inciting violence against Jews. Statements were issued by Hamas and a number of other Palestinian factions celebrating as "heroic" the terror attacks in Jerusalem and in Petah Tikva. A senior leader, addressing a rally following the truck ramming, sent

> "a message of encouragement and support for every jihadi who carries out an attack that puts an end to the acts of the Zionist enemy".

Regrettably, Palestinian Authority officials have not condemned those attacks, while Fatah's social media pages continue to commemorate perpetrators of previous attacks against Israeli civilians.

Provocative statements also continued on the Israeli side. A number of politicians have called for the annexation of parts or all the West Bank and for a categorical denial of Palestinian statehood. One political leader called the notion of a Palestinian State a "historic disaster" and a "hallucination", while another spoke of only the Jewish people having "national rights" between the Jordan and the sea.

Resolution 2334 (2016) reiterates the call of the Middle East Quartet on both parties to take affirmative steps to reverse the negative trends on the ground that are imperilling the two-State solution. Allow me to outline some of the moves taken by Israel and the Palestinian Authority that may be broadly considered to be in this context.

In February, the Palestinian Authority took a significant step towards strengthening its institutions and improving governance, by finalizing the Palestinian national policy agenda for 2017-2022. The agenda reiterates the Palestinian Authority's commitment to State-building and to guaranteeing the rule of law. Continued support for the Palestinian Authority in

providing governance and security remains critical. In January, the Palestinian Government approved the general budget for 2017 and, owing to the strong fiscal performance in the previous year, was able to reduce the budget deficit. Continued fiscal discipline and a push for revenue growth will be essential during this year as economic and financial conditions are likely to continue to be restrictive.

In a positive development, on 15 January, after six years of inactivity, Israel and the Palestinian Authority agreed to reactivate the Israeli-Palestinian Joint Water Committee. It was established under the Oslo agreements in order to improve the water infrastructure and supply in the West Bank and Gaza. The new agreement outlines the types of water projects that need approval by the Joint Water Committee, and thus by default those not requiring approval. This comes on the heels of agreements on electricity, 3G and postal services that have been signed in the past six months.

It is also important to note that both Israel and the Palestinian Authority remain committed to maintaining security coordination amid increasing political and popular pressure on the Palestinian Authority to cease such coordination. I take this opportunity to note the professionalism of the Palestinian security forces in providing public order. They operate in a highly volatile environment, and I encourage Israel and the international community to continue supporting the advancement of their capacity and capability.

The reporting period also saw progress in Gaza reconstruction and recovery. More than 225,000 tons of cement were imported through the temporary Gaza Reconstruction Mechanism — a significant increase over the previous three-month period. Israel also approved nearly 3,300 residential construction and reconstruction projects, compared to only 78 over the previous three months.

During the reporting period there were no developments related to Member States' distinguishing, in their relevant dealings, between the territory of the State of Israel and the territories occupied in 1967. There have, however, been efforts by the international community to take up its responsibility to resolve the conflict. In that respect, I would like to note the international conference hosted by France on 15 January, which was attended by representatives of some 70 countries. As a follow-up, interested participants resolved to meet again before the end of 2017 to review progress and to support both sides in advancing a resolution to the conflict.

In January, representatives of most Palestinian factions, including Fatah and Hamas, met in Moscow. The Foreign Minister of the Russian Federation addressed the participants, stressing the need to overcome divisions on the basis of the Palestinian Liberation Organization political programme and the Arab Peace Initiative in order to create the conditions for meaningful negotiations.

On 7 March, I addressed a session of the Council of the Arab League in Cairo, where I spoke of the need to recognize that true peace requires the recognition that both Palestinians and Israelis have legitimate national aspirations that can be realized only in two States. The Arab League adopted a resolution that calls, inter alia, for developing an effective international mechanism to follow-up on the Paris conference for ending the Israeli occupation and achieving a two-State solution within a specific time frame.

Last week, the United States Special Representative for International Negotiations visited Israel, the West Bank and Jordan for initial meetings with political, security and civil society leaders and religious and youth groups. In statements following meetings with the Israeli Prime Minister and the Palestinian President, the Special Representative reaffirmed the United States interest in advancing a genuine and lasting peace. I am encouraged by ongoing efforts to reach agreement with the parties on steps on the ground that will create the conditions for Palestinian economic development and advancing peace.

In conclusion, I would like to share some broad observations about the reporting period. The January spike in illegal settlement announcements by Israel is deeply worrying. The large numbers of advancements, planned infrastructure development, legislative actions and moves to undertake large-scale demolitions vis-à-vis Palestinian communities in Area C indicate a clear intent to continue expanding the settlement enterprise in the occupied Palestinian territory. In the light of this, the adoption of the regularization law is a highly worrying development. Many of the advancements that have been made in the past three months will further sever the territorial contiguity of a future Palestinian State and accelerate the fragmentation of the West Bank. The expansion of the settlement of Kfar Adumim, where 320 units were moved forward during

the reporting period, is gradually dividing the northern and southern West Bank. Planned construction in Shiloh effectively extends the zone that cuts across the central West Bank. Announcements in Kokhav Yakov, situated between Ramallah and East Jerusalem, and in Shavei Shomron, located at a crossroads connecting the three major Palestinian cities of Nablus. Jenin and Tulkarem, are also of strategic significance. Such actions are in breach of international law and must stop. Settlement expansion undermines the very essence of a two-State solution. Resolution 2334 (2016) states that the international community will not recognize any changes to the 4 June 1967 lines, including with regard to Jerusalem, other than those agreed to by the parties themselves through negotiations.

Meanwhile, there has been little progress in promoting Palestinian development in Area C. I am particularly concerned about herding communities in Area C in the West Bank, who are struggling to maintain a minimum standard of living in the face of pressure to move. The United Nations has repeatedly stated that the relocation of communities without their fair and informed consent would contravene Israel's obligations as an occupying Power under international law. To foster a climate conducive to meaningful negotiations, Israel must do more to improve the daily lives of Palestinians. It is still crucial to ensure that they introduce significant policy changes that will increase Palestinian civil authority, support Palestinian development and preserve the prospect of a two-State solution, in line with the recommendations of the Middle East Quartet. The agreement to reactivate the Joint Water Commission, after six years of inactivity, is a step in the right direction, but much more can be done by both parties. I would like to take this opportunity to commend the Palestinian President and Prime Minister for developing a national policy agenda. With foreign aid continuing to decline, it is critical that the Palestinian Authority and its international partners work together in a structured, transparent and accountable way.

The continuing deadly violence in Israel and the occupied Palestinian territory during the past three months also remains a concern. The recent increase in rockets fired from Gaza towards Israel is a worrying development. Such potentially lethal provocations are unnecessary, dangerous and risk devastating escalation. Resolution 2334 (2016) calls on all to "clearly condemn all acts of terrorism". The continued incitements to violence against Jews emanating from Hamas extremists and some Palestinian groups is unacceptable and undermines trust and the prospects for peace. Similarly, it is important to note that despite the continuing closures on Gaza, there has been an increase in the importation of building materials under the Gaza Reconstruction Mechanism. However, the continued restrictions on importing various other materials — considered dual-use by Israel but badly needed for humanitarian and development efforts — continue to be a major obstacle. Despite this positive development, much remains to be done.

International engagement on reviving the peace process over the past three months has confirmed the consensus that a two-State solution is the only way to realize the national aspirations of both peoples. It is critical to ensure that the momentum built over the past year continues to expand and ultimately develop into a concrete vision to end the occupation and the wider conflict. Shaping a credible political horizon through reviving engagement between the parties with intensified international and regional support is essential to advancing that goal. These international efforts must be accompanied by significant steps taken on the ground by the parties themselves in order to create an environment conducive to negotations. The United Nations will continue to call on and work with the parties and all interested stakeholders to find a just, sustainable and comprehensive solution to the Israeli-Palestinian conflict, based on the relevant Security Council resolutions.

The President: I thank Mr. Mladenov for his briefing.

I shall now give the floor to those Council members who wish to make statements.

Mr. Rosselli (Uruguay) (*spoke in Spanish*): We would like to thank Special Coordinator Mladenov for his briefing and to reiterate Uruguay's full support to his work.

Paragraph 12 of resolution 2334 (2016) says that the Security Council

> "[r]equests the Secretary-General to report to the Council every three months on the implementation of the provisions of the present resolution".

Regrettably, the first of those three months were up yesterday and we still do not have the report of the Secretary-General, which we hope will be issued as soon as possible. Uruguay, as it has done since 1947, reiterates

its support to the aim of both Israel and Palestine to live peacefully side by side within secure and recognized borders in a spirit of renewed cooperation free of any threat to peace. In order to achieve that, it is vital that both the Israeli and Palestinian authorities fulfil their obligations under international law in good faith, comply with the relevant Security Council resolutions, give clear political signals that they want to move away from this vicious circle of violent confrontation and refrain from taking unilateral decisions while waiting to begin a dialogue. We are waiting for those signals. We therefore call on the parties to think carefully about their next steps and work to prevent the most extremist wings of their respective Governments from prevailing over those are genuinely committed to peace.

Uruguay, along with virtually the entire international community, firmly supports a two-State solution to the conflict, which is still the only possible way to enable Israel and Palestine to live together in peace and security. In that regard, we urge the parties to relaunch direct bilateral negotiations as soon as possible and without preconditions, which is an essential part of the path to attaining the ultimate goal. But if that is to happen, the trends on the ground that were identified in the Quartet's last report must be reversed, or it will be extremely difficult for Palestine to consolidate its State. The Security Council's adoption in December of resolution 2334 (2016) and the conference organized by France in January were clear indications of how urgent the international community considers the issue of reaching a peaceful conclusion to the process. Israel's announcements in the past two months about the construction of thousands more settlements in the West Bank and East Jerusalem, as well as the retroactive legalization of settlements on Palestinian land, runs counter to the provisions of resolution 2334 (2016), which affirms the unacceptability of the acquisition of land by force. Such measures do not promote peace and endanger the prospects for a two-State solution.

We would like to firmly emphasize that we reject all acts of terror and repudiate any glorification of violence or incitement to it. We cannot simply remain silent about such issues, for otherwise we become complicit in them. Launching rockets from Gaza into Israel is unacceptable, and it is the responsibility of Palestine to put a stop to such attacks. Lastly, we reiterate to the key actors in the process that moderation is essential and unilateral actions that may endanger a future peace process and a solution for these two States are unacceptable.

Mr. Llorentty Solíz (Plurinational State of Bolivia) (*spoke in Spanish*): I am grateful for the briefing by the Special Coordinator for the Middle East Peace Process, Mr. Nickolay Mladenov, who has just given us updated information on the situation in the Middle East, in particular with respect to the illegal Israeli settlements in the occupied Palestinian territories.

Bolivia reaffirms its firm commitment to resolution 2334 (2016), and we urge all members of the Security Council to join forces to ensure that it is implemented without further delay. We believe that all resolutions emanating from the Council should be implemented with the same rigour and commitment that they require, with the sole purpose of guaranteeing international peace and security.

Bolivia would like to express its most profound indignation at the ongoing illegal settlement activities by the State of Israel in the occupied Palestinian territories, including East Jerusalem, despite the existence of a Council resolution that expressly reaffirms that the settlements have no legal validity and constitute a flagrant violation of international law and a major obstacle to the achievement of the two-State solution and of a comprehensive, just and lasting peace. Along similar lines, I would like to reiterate what resolution 242 (1967) demands in its article 1, namely, the "[w]ithdrawal of Israel armed forces from territories occupied in the recent conflict". It speaks of the recent conflict because the resolution was adopted in 1967, almost 50 years ago.

Today, three months after the Security Council adopted resolution 2334 (2016), we find ourselves in this meeting with less than encouraging news about the implementation of the resolution. The Israeli Government, using its extreme rhetoric in January and February of this year, announced through its authorities the construction of 6,000 new homes in the West Bank, including East Jerusalem. According to the Office of the United Nations High Commissioner for Human Rights, since January 2017 there have been almost 105 demolitions of homes of Palestinian citizens in the so-called Areas C and 14 in East Jerusalem. This type of expansionist and colonizing practices by Israel bring with them the continued confiscation of Palestinian families' land and property, leading to forced displacement of civilians and consequently the transfer

of new Israeli settlers. If we compare the figures with those from last year, where there were 1,093 demolitions, we see that resolution 2334 (2016) has had no impact on the ground. The rate of demolitions after the adoption of resolution 2334 (2016) has been the same as the rate before it.

We call on the Israeli Government to show political will and commitment to the two-State solution. We believe that it is the duty of the Security Council to immediately urge that Israel put an end to its illegal settlement activities in the occupied Palestinian territories, including East Jerusalem, and suspend all actions against the Palestinian civilian population, including the inhumane blockade of the Gaza Strip, as well as the immediate cessation of all collective and other forms of punishment.

Bolivia reaffirms its support for the self-determination of the Palestinian people and their right to a free, sovereign and independent State within pre-1967 internationally recognized borders, with East Jerusalem as its capital, in accordance with the relevant resolutions of the Security Council and the General Assembly of the United Nations. Bolivia of course wants there to be peace for both peoples — for the Palestinian people and for the Israeli people. At the same time, Bolivia rejects all forms of terrorism. We endorse the Ambassador of Uruguay's hope that the report called for by resolution 2334 (2016) will be circulated, and we would like to ask Mr. Mladenov to include in his next briefing in this Chamber maps that show how the illegal Israeli settlements are extinguishing the possibility of a two-State solution. We think it is vital that we be able to understand visually what is happening on the ground.

Finally, it has been said in the Security Council that the United Nations — and the Security Council in particular — are fixated on this issue. I was thinking about how we could respond to this claim. Some 70 years after the adoption of the General Assembly resolution that speaks of the two States (resolution 181 (II)), 50 years after the start of the Israeli occupation of Palestinian territories, 10 years after the start of the Gaza blockade, and now three months after the adoption of a resolution that still has not been implemented, the only way I could find to respond to this claim is to repeat the words of Nelson Mandela, who said, "we know too well that our freedom is incomplete without the freedom of the Palestinians".

The President: I now invite Council members to informal consultations to continue our discussion on the subject.

The meeting rose at 3.35 p.m.